

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

LYNN FARMER, }  
Plaintiff, }  
v. } CIVIL ACTION NO. 1:09-CV-53  
CAPITAL ONE BANK, N.A., a foreign }  
company, and EQUIFAX }  
INFORMATION SERVICES, LLC, a }  
foreign limited liability company, }  
Defendants. }

**NOTICE OF RESOLUTION**

COMES NOW, Defendant Capital One Bank (USA), N.A. (“Capital One”), improperly designated at Capital One Bank, NA., and hereby notifies the Court that Plaintiff, Lynn Farmer, and Capital One are in the process of resolving Plaintiff’s claims against Capital One. A Joint Stipulation of Dismissal will be filed within the next thirty (30) days.

Respectfully submitted,

s/W. Drake Blackmon

Rik S. Tozzi

ASB-7144-Z48R

W. Drake Blackmon

ASB-1566-W86B

STARNES & ATCHISON LLP

PO Box 598512  
Birmingham, AL 35259-8512  
Telephone: 205-868-6000  
Fax: 205-868-6099  
rtozzi@starneslaw.com  
dblackmon@starneslaw.com  
Attorneys for Defendant, Capital One Bank  
(USA), N.A. incorrectly designated as  
Capital One Bank, N.A.

**CERTIFICATE OF SERVICE**

I hereby certify that on August 5, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send electronic notification of such filing to the following counsel:

Mr. Lynn Farmer  
127 Old Fadette Road  
Slocomb, Alabama 36375

s/ W. Drake Blackmon  
OF COUNSEL